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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellant: DIRK SELDESLACHTS Docket No.: 98-227
Serial No.: 09/051,565 Examiner : C. SHERRER
Filed : June 8, 1998 Art Unit : 1761
For : DEVICE FOR REMOVING UNWANTED VOLATILE
COMPOUNDS FROM BEER WORT

900 Chapel Street
Suite 1201
New Haven, CT 06510-2802

RESPONSE

MS Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

This is in response to the official letter dated April 23,
2003 setting a one month period for response.

R E M A R K S

Attached hereto are three corrected appeal briefs
containing a revised summary of invention with references to the
specification.

With regard to the Examiner's comments concerning the
appended claims, the Examiner is in error. As stated is
M.P.E.P. 1207, the brief must be directed to the claims and to
the record of the case at the time of appeal. The amendment

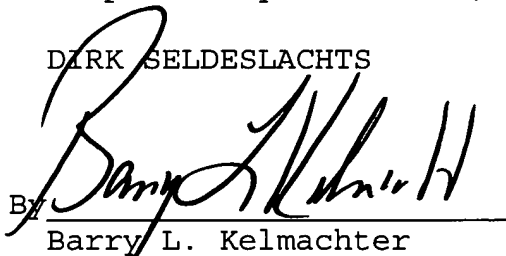
canceling claim 54 and amending claim 55 to depend from claim 28 was unentered at the time of appeal. Thus claims 54 and 55 appear in the appendix of claims. It is up to the Examiner to take action with respect to the unentered amendment and in his answer state how this affects the claims on appeal. To date, Appellant has received no Advisory Action concerning the unentered amendment.

With regard to the allowability of the claims on appeal, Appellant has presented in Sections X, subsections B and C, clear statements as to the deficiencies of the obviousness rejection made by the Examiner and presented reasons why the claims are each separately patentable. Nothing more is required. If the Examiner wishes to argue otherwise, he may do so in his Answer.

Respectfully submitted,

DIRK SELDESLACHTS

By

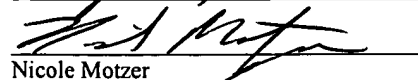

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Date: May 20, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on

May 20, 2003

Nicole Motzer